

EXHIBIT A

FILED

**IN THE DISTRICT COURT OF PONTOTOC COUNTY
STATE OF OKLAHOMA**

AUG 19 2015

KAREN DUNNIGAN, Court Clerk
Pontotoc County, Oklahoma
By _____
Deputy

JIMMY D. PINGLETON, an individual,

Plaintiff,

v.

ROLLING HILLS HOSPITAL, LLC, an
Oklahoma Limited Liability Company.

Defendant.

Case No. CJ-2015-143

JURY TRIAL DEMANDED

PETITION

Plaintiff, Jimmy D. Pingleton, for his cause of action against the Defendant, Rolling Hills Hospital, LLC, alleges and states:

JURISDICTION AND VENUE

1. Plaintiff is a resident of Pontotoc County, State of Oklahoma.
2. Defendant, Rolling Hills Hospital, LLC is an Oklahoma limited liability company whose principle place of business is in Ada, Pontotoc County, State of Oklahoma.
3. The Court has jurisdiction over the subject matter as well as personal jurisdiction over the parties.
4. Venue is properly laid in the District Court of Pontotoc County, State of Oklahoma as the acts giving rise to this action arose herein.

STATEMENT OF FACTS

5. Defendant is an inpatient psychiatric care and addiction treatment facility.
6. Plaintiff was hired by Defendants as Director of Plant Operations of May 1, 2013.
7. Defendant operates the Cypress Group Home, an adolescent housing facility funded by the Oklahoma Department of Human Services.

8. During the course of his employment with Defendant, Plaintiff was subjected to numerous adverse employment actions by Defendant's CEO, Selena Stockley.

9. In late 2014, multiple patient-on-patient sexual assaults occurred within the Cypress Group Home.

10. When law enforcement began investigating these sexual assaults, Stockley instructed Plaintiff to destroy evidence which could potentially be harmful to Defendant.

11. When Plaintiff refused to destroy the evidence, Stockley terminated Plaintiff's employment with Defendant.

COUNT I
(Whistleblowing / Burk Tort)

12. As a direct result of Defendant's wrongful, unlawful, and retaliatory discharge of the Plaintiff, the Plaintiff has sustained damages including but not limited to loss of income, past and future, mental anguish and emotional distress, in an amount in excess of \$75,000.00.

13. Defendant's actions constitute a reckless disregard for the rights of others and/or were intentional and with malice, and are of such a nature that punitive damages, in an amount in excess of \$75,000.00, should be awarded.

14. Defendant's actions described herein constitute a violation of a clear mandate of Oklahoma public policy and whistleblowing protections.

15. Plaintiff's discharge for performing an important public obligation, exercising a legal right or interest in performing an act of public policy would encourage namely, refusing to destroy evidence regarding criminal activity at the hospital.

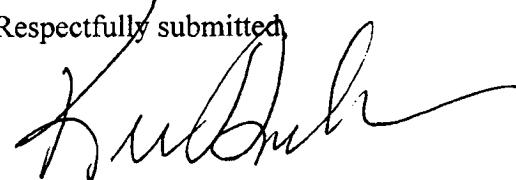
16. Plaintiff's discharge is against the public policy of the State of Oklahoma.

17. As a result of Plaintiff's wrongful discharge, the Plaintiff has and will suffer damages including lost earnings, employment benefits and mental and emotional distress.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant in an amount in excess of Seventy-Five Thousand Dollars (\$75,000.00), the amount required for diversity action pursuant to Section 1332 of Title 28 of the United States Code, and for punitive damages in excess of Seventy-Five Thousand Dollars (\$75,000.00), the amount required for diversity action pursuant to Section 1332 of Title 28 of the United States Code, together with such attorney's fees and costs, and for such other relief as the Court deems just and proper.

Respectfully submitted,



KEVIN R. DONELSON, OBA #12647
DEREK H. ROSS, OBA #31699
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669895.2/62729

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Plaintiff,

v.

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Case No. CJ-2015-143

JURY TRIAL DEMANDED

ISSUED
By Court Clerk
Pontotoc County, State of Okla.
KAREN DUNNIGAN, Court Clerk**SUMMONS**To the Defendant named above:Rolling Hills Hospital, LLC
c/o The Corporation Company, Registered Agent
1833 South Morgan Road
Oklahoma City, OK 73128

You have been sued by the above-named Plaintiff, Jimmy D. Pingleton, and you are directed to file a written answer to the attached Petition with the Court Clerk of Pontotoc County, 120 W. 13th Street, Ada, Oklahoma 74820, within twenty (20) days after service of this summons upon you, exclusive of the day of service. Within the same time, a copy of your answer must be delivered or mailed to the attorney for the Plaintiff.

Unless you answer the Petition within the time stated, judgment will be rendered against you with costs of the action.

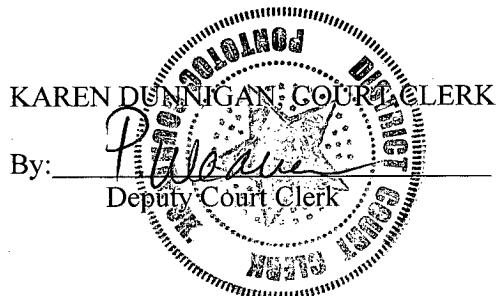
Issued this 19 day of August, 2015.

(SEAL)

Attorney(s) for Plaintiff

Name: Kevin R. Donelson (OBA #12647)
Derek H. Ross (OBA #31699)
kdonelson@fellerssnider.com
dross@fellerssnider.com

Address: FELLERS SNIDER BLANKENSHIP BAILEY & TIPPENS, P.C.
100 N. Broadway, Suite 1700
Oklahoma City, OK 73102-8820
Telephone: (405) 232-0621
Facsimile: (405) 232-9659

This summons was served on _____.
(Date of service)

Signature of person serving summons

YOU MAY SEEK THE ADVICE OF AN ATTORNEY ON ANY MATTER CONNECTED WITH THIS SUIT OR YOUR ANSWER. SUCH ATTORNEY SHOULD BE CONSULTED IMMEDIATELY SO THAT AN ANSWER MAY BE FILED WITHIN THE TIME LIMIT STATED IN THE SUMMONS.

RETURN OF SERVICE BY SHERIFF

PERSONAL SERVICE

I certify that I received the foregoing summons on the ____ day of _____, 20____, and that I delivered a copy of said summons with a copy of the petition attached to the following named defendant personally in _____ County at the address and on the date set forth opposite each name, to-wit:

Name of Defendant	Address	Date of Service
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USUAL PLACE OF RESIDENCE

I certify that I received the foregoing summons on the ____ day of _____, 20____, and that I served by leaving a copy of said summons with a copy of the petition attached at _____ which is his usual place of residence with _____, a member of his family fifteen (15) years of age or older.

CORPORATION RETURN

Received this summons this ____ day of _____, 20____, and as commanded therein, I summoned the within named defendant, as follows, to-wit: _____, a corporation, on the ____ day of _____, 20____, by delivering a true and correct copy of the petition to _____, he being the _____ of said corporation, and the President, Vice President, Secretary, Treasurer or other chief officer not being found in said county.

NOT FOUND

Received this summons this ____ day of _____, 20____, I certify that the following persons of the defendant within named not found in county:

FEES

Fee for service \$_____ Mileage \$_____ Total \$

Dated this ____ day of _____, 20____.

, Sheriff

By:
Deputy, _____ County, Oklahoma

CERTIFICATE OF SERVICE BY MAIL

I certify that I mailed copies of the foregoing summons with a copy of the petition attached to the following named defendant at the address shown by certified mail, addressee only, return receipt requested, on the ____ day of _____, 20____, and receipt thereof on the dates shown.

Defendant	Address Where Served	Date Received
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BY: _____